

VOL. X.

THE PREAMBLE AND
BILL OF RIGHTSFull Text of the Report of the Com-
mittee.

CHANGES MADE IMMATERIAL

Recommend That Civil Juries be Less than
Twelve—The Document is Brief.

The following report of the Committee on Preamble and Bill of Rights was submitted to the Constitutional Convention by the Chairman, Hon. Berryman Green, of Danville. It is understood that the preamble was the work of the Hon. John S. Barbour, of Culpeper:

CONSTITUTION.

Whereas, pursuant to an act of the General Assembly of Virginia, approved March the fifth, in the year of our Lord nineteen hundred, the question, "Shall there be a convention to revise the Constitution and amend the same?" was submitted to the electors of the State of Virginia, qualified to vote for members of the General Assembly, at an election held throughout the State on the fourth Thursday in May in the year nineteen hundred, at which election a majority of the electors so qualified voting at said election did decide in favor of a convention for such purpose; and

Whereas, the General Assembly at its next session did provide by law for the election of delegates to such convention, in pursuance whereof the members of this convention were elected by the good people of Virginia to meet in convention for such purpose;

We, therefore, the delegates of the good people of Virginia so elected and in convention assembled, do ordain and declare the future form of government of Virginia to be as follows:

ARTICLE I.—BILL OF RIGHTS.

A Declaration of Rights, Made by the Representatives of the Good People of Virginia, Assembled in Full and Free Convention, Which Rights Do Pertain to Them and Their Posterity, as the Basis and Foundation of Government.

1. That all men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and obtaining happiness and safety.

2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

3. That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community; of all the various modes and forms of government that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and that, when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an undoubted, inalienable and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which, not being descendible, neither ought the office of magistrate, legislator or judge to be hereditary.

5. That the legislative, executive and judicial powers of the State should be separate and distinct; and that the members thereof may be restrained from oppression by feeling and participating the burdens of the people, they should, at fixed periods, be reduced to a private station, returning into that body from which they were originally taken, and the vacancies be supplied by regular elections, in which all, or any part of the former members shall be again eligible, or ineligible, as the laws may direct.

6. That all elections ought to be free, and that all men, having sufficient evidence of permanent common interests with, and attachment to, the community, have the right of suffrage, and cannot be taxed, or deprived of, or damaged in, their property for public uses, without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the public good.

7. That all power of suspending laws, or the execution of the laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

8. That, in all capital or criminal prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor shall any person be twice put in jeopardy, for the same offense; nor can he be compelled to give evidence against himself, that no man be deprived of his liberty, except by the law of the land or the judgment of his peers, but upon a plea of guilty by the accused, or with his consent, entered of record, the court may hear and determine any criminal case without the intervention of a jury; and General Assembly may, by law, provide for the trial, by justices of the peace, without a jury, of a man accused of any criminal offense not punishable by death or confinement in the penitentiary, but in all such cases the General Assembly shall preserve the right of the accused to an appeal and trial by jury in the appellate court.

9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

10. That general warrants, whereby any

officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.

11. That in controversies respecting property, and in suits between man and man, a trial by jury is preferable to any other, and ought to be held sacred; but the General Assembly may, by law, prescribe any number less than twelve, but not less than seven, to constitute a jury.

12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

13. That a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural and safe defense of a free State; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to and governed by the civil power.

14. That the people have a right to uniform government; and therefore, that no government separate from, or independent of the government of Virginia ought to be erected or established within the limits thereof.

15. That no free government, or the blessing of liberty, can be reserved to any people but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

16. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience, and that it is the mutual duty of all to practice Christian forbearance, love and charity toward each other.

17. That neither slavery nor involuntary servitude, except as lawful imprisonment may constitute such, shall exist within this State.

18. The rights enumerated in this bill of rights shall not be construed to limit other rights of the people not therein expressed.

ARTICLE 2.—SUPREMACY OF THE UNITED STATES CONSTITUTION.

The Constitution of the United States, and all laws made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land.

ARTICLE 3.—DIVISION OF POWERS.

The legislative, executive and judiciary departments shall be separate and distinct so that neither exercise the powers properly belonging to either of the others; nor shall any person exercise the power of more than one of them at the same time, except as hereinafter provided.

She Didn't Wear a Mask

But her beauty was completely hidden by sores, blotches and pimples till she used Bucklen's Arnica Salve. Then they vanished as will all Eruptions, Fever Sores, Boils, Ulcers, Carbuncles and Felons from its use. Infalible for Cuts, Corns, Burns, Scalds and Piles. Cure guaranteed. 25c at Jackson's.

County Court Proceedings.

During the present term of the county court the following business has been transacted on the criminal side of the court.

Commonwealth vs. John Catoch, upon a charge of forgery. The accused was acquitted of forgery, but was found guilty of obtaining goods under false pretences and sentenced to confinement in jail for a term of thirty days.

Commonwealth vs. Wilson Carr, colored upon a charge of felonious shooting. Found guilty of an assault and fined fifty dollars.

Commonwealth vs. Charles Jones, colored, upon a charge of attempt to rape. The verdict of the jury was not guilty. The Commonwealth was represented by Barnes Gillespie and the accused by Bowen & Ryal.

Commonwealth vs. Marion Phillips, upon a charge of felonious shooting. This was a prosecution for shooting Harvey Davis on the 27th of March 1901, in a dispute over the building of a line fence between the parties. The prosecution was conducted by Barnes Gillespie, Commonwealth Attorney and Judge S. C. Graham and the accused was defended by Messrs. Chapman & Gillespie. The case was ably conducted and argued on both sides. The verdict of the jury reduced the offense to an assault, with a fine of \$50 and one hour's imprisonment.

The case of the Commonwealth vs. E. J. Hankins was called on yesterday, and the trial begun. It is still in progress. The prosecution is being conducted by Barnes Gillespie, Commonwealth Attorney, A. J. & S. D. May and E. L. Grever and the accused is being defended by Chapman & Gillespie. The jury is composed of the following citizens: C. O. McCall, J. C. Grooms, W. W. Kelly, T. P. Bowen, F. S. Wallace, A. J. Broyles, J. S. Whit, C. W. Bowling, J. M. C. Catron, C. T. Peery, J. S. Wimmer, C. L. Alexander.

The killing is being tried for shooting and killed Amos Lupton at Richlands on the day of April. There was no one present except the accused and the deceased when the shooting occurred. A number of witnesses are attending the trial.

There Are Three to 8 Ounces

more in a pint of Devoe's Gloss Carriage Paint than in others—that's why they wear longer. Extra weight means heavier body. Sold by John E. Jackson.

Notice.

All persons are hereby notified not to haul any sand or gravel from any of the public roads in Jeffersonville District.

B. J. FILLER,
Chairman of the Board of Supervisors for Tazewell county, Va.

To Cure a Cold in One Day

Take Laxative Brome Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

FEW CHANGES IN
BILL OF RIGHTS.Report Was Made to The Convention on
Saturday.

PREAMBLE VERY SHORT.

Committee Declares Trials by Jury Are
Preferable to Any Other, and Ought
to Be Held Sacred.

Richmond, Va., July 21.—The first committee to make a report of any provision designated to be engrafted into the new Constitution is the body that has had to deal with the preamble and Bill of Rights. The preamble is very brief. The proposition to have a long recital of historical facts was voted down, and this was adopted in its stead.

Whereas, pursuant to an act of the General Assembly of Virginia, approved March 5, 1900, the question, "Shall there be a convention to revise the Constitution and amend the same?" was submitted to the electors of the State of Virginia, qualified to vote for members of the General Assembly, at an election held throughout the State on the fourth Thursday in May, in the year nineteen hundred, at which election a majority of the electors so qualified voting at said election did decide in favor of a convention for such purpose; and

Whereas, the General Assembly at its next session did provide by law for the election of delegates to such convention, in pursuance whereof the members of this convention were elected by the good people of Virginia to meet in convention for such purpose;

We, therefore, the delegates of the good people of Virginia so elected and in convention assembled, do ordain and declare the future form of government of Virginia to be as follows:

BILL OF RIGHTS.

There are not many changes in the Bill of Rights. The second section, which was placed there by the Underwood Constitution, providing "that this State shall ever remain a member of the United States of America," was stricken out, and it is rather a remarkable coincidence that Mr. Pedigo (Rep.) of Henry who moved its adoption in 1887, also moved to strike it out. One very important change is the provision of juries. It is provided that when a man pleads guilty the court in certain cases may prescribe the punishment; also that certain civil cases may be tried by juries of less than twelve members. Following are the sections bearing on these subjects:

"That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor shall any person be twice put in jeopardy for the same offense; nor can he be compelled to give evidence against himself, that no man be deprived of his liberty, except by the law of the land or the judgment of his peers; but upon a plea of guilty by the accused, or with his consent, entered of record, the court may hear and determine any criminal case without the intervention of a jury; and General Assembly may, by law, provide for the trial, by justices of the peace, without a jury, of a man accused of any criminal offense not punishable by death or confinement in the penitentiary, but in all such cases the General Assembly shall preserve the right of the accused to an appeal and trial by jury in the appellate court."

"That in controversies respecting property, and in suits between man and man, a trial by jury is preferable to any other, and ought to be held sacred; but the General Assembly may, by law, prescribe any number less than twelve, but not less than seven, to constitute a jury."

DAMAGE TO PROPERTY.

Here is a section that is changed by the insertion of the words "damage to":

"That all elections ought to be free and that all men having sufficient evidence of permanent common interests with, and attachment to, the community, have the right of suffrage and cannot be taxed, or deprived of, or damaged in, their property for public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner assented, for the public good."

The idea of this amendment is to compensate a person whose property may not be actually taken for public uses, but may suffer damage by reason of the use to which property nearby condemned and taken may be put.

OFFICERS HAVE RESIGNED.

President and Secretary of Live Stock Association Quilt.

Wytheville, Va., July 22.—Special—Much interest is manifested in this section in the matters of the Southwestern Virginia Agricultural and Live Stock Association, which it is feared are becoming somewhat complicated. At the meeting of the directors held at the West End Hotel, Radford, on Saturday last, Mr. J. H. McGavock, president of the association, and Mr. H. B. Howe, secretary, tendered their resignations, and a vigorous protest was filed by certain of the Pulaski stockholders against the collection of their subscriptions. When seen here today Mr. McGavock gave the above information and stated that he took this step because he considered that the board at that meeting violated a resolution passed at the first and only meeting of the stockholders. This resolution was that no money should be collected from subscribers to the stock until a sufficient amount to equip suitable grounds was subscribed; and at a directors

meeting on June 20th, it was resolved that none of the amount then subscribed should be expended until all was collected. The estimate of the engineer showed that something over nine thousand dollars would be required to furnish and equip the grounds, while not quite seven thousand dollars was subscribed. With matters in this condition, the directors' meeting Saturday passed a resolution making all amounts subscribed collectable at once, and directing the expenditure of the money; whereupon the gentlemen named acted as stated above. Mr. McGavock stated that he himself introduced the resolution at the stockholders' meeting, and that its intention was to protect every stockholder, and insure a thoroughly equipped ground free from debt, which was then considered the prime requisite, and that it was so understood by the stockholders present.

Letter to Judge S. M. B. Coulting,
Tazewell, Va.

Dear Sir: Perhaps you are going to paint your house, and don't believe in Devoe. We'll make you an offer: Paint half your house lead and oil; the other half Devoe lead and zinc.

In three years the lead and oil half will turn water as well as when new.

If not, our agent will stand by this: "If you have any fault to find with this paint, either now in the painting or hereafter in the wear, tell your dealer about it. We authorize him to do what is right at our expense."

Devoe lead and zinc holds color better than lead; turns water twice as long.

Yours truly,
F. W. DEVOE & CO.
P. S. John E. Jackson sells our paint in your section.

FUNERAL OF MRS. KRUGER.

Wife of Former President Kruger of the Transvaal.

Pretoria, July 22.—Mrs. Kruger, wife of former President Kruger of the South African Republic, who died Saturday last of pneumonia, after an illness of three days, was buried here this afternoon.

Amsterdam, July 22.—Former President Kruger, of the South African Republic, is very depressed as the result of the death of his wife, but his health is unaffected. On the contrary, he has thrown himself into his worldly affairs with more than his usual energy.

Press comment on the death of Mrs. Kruger is sympathetic. The newspapers do not attach any political significance to the event.

New York, July 22.—Theodore M. Banta, secretary of the Holland Society, has sent the following telegram to President Kruger:

"President Kruger, The Hague: Sincerest sympathy. Numbers six, twenty-four, twenty-five, twenty-six."

The quotation from the Bible is as follows: "The Lord bless thee and keep thee; the Lord make his face to shine upon thee and be gracious unto thee; the Lord lift up his countenance upon thee and give thee peace."

If They Didn't Weigh Three

to eight ounces more to the pint, Devoe's Gloss Carriage Paint would wear no longer than others. Extra weight means heavier body—covers thicker. Wears longer. Sold by John E. Jackson.

THE HOT WEATHER.

One Hundred Degrees Common All Over the Corn Belt.

Washington, July 22.—One hundred degrees temperature was common throughout the great corn belt today, according to the reports to the Weather Bureau here. In various places in Illinois, Iowa, and other States, all previous heat records were smashed. There appear to be no prospects of decided relief from these exhausting conditions for the next two days, at least, except such as may come from the always present possibility of scattered thunder storms, which are predicted for some portions of the superheated area. Today dry thunder storms accompanied by rain prevailed in several sections of the West, hundreds of miles apart.

Absolutely no rain fell in the corn belt according to the official reports. In eastern Iowa it was a trifle cooler today, while in the central portion of the State it was warmer. There is a little bit of high pressure over the Great Lakes and another

over South Atlantic coast, but it offers no prospect of relief in the West so long as the continued low pressure remains in the Northwest. The warm weather is again general throughout the entire country except on the Pacific coast.

Thunder showers have continued from the South Atlantic coast westward into Arizona, and a continuation of the heat is predicted for the South and Southwest.

In Des Moines, Iowa, the temperature officially reported today was 108; in Springfield, Illinois, 108, in Cincinnati, 106, and in Louisville 106, in each case breaking all records. In Indianapolis it was 106, or five degrees higher than ever before reported. In St. Louis it was 106. Omaha, 104, Bismarck, N. D., 104 and Concordia, Kansas, 102. In the east Boston reported a temperature of 94 degrees, New York 90 Philadelphia, 88, and Washington 93.

Cuts and bruises are healed by Chamberlain's Pain Balm in about half the time any other treatment would require because of its antiseptic qualities which cause the parts to heal without maturation. For sale by John E. Jackson.

EDITORIAL PARAGRAPHS.

It is announced in press reports from Washington that Admiral Schley will ask for a naval court of inquiry to investigate and settle the charges that have been so freely made against him about his conduct at the battle of Santiago and previous thereto. It will be a good thing if he does, so that the matter can be put at rest by a jury of his peers.

The Bill of Rights as reported by the Suffrage Committee of the Constitutional Convention retains that clause, inserted by the Underwood Convention, which declares the Constitution of the United States the supreme law of the land. This is proof positive that it was the duty of the members of the Convention to take an oath to respect and maintain the Constitution of the United States.

Today President McKinley will issue a proclamation declaring free trade between the United States and Porto Rico. This is done in accordance with a resolution adopted on the 4th of July by the Legislature of Porto Rico, declaring that a system of local taxation had been put in operation sufficient to meet the island's administration and entitling the island to free trade under the act of the last Congress. So, Mr. McKinley's policy has worked out all right.

The Retrenchment Committee of the Constitutional Convention has made a report, recommending that the salary of the Governor of Virginia be reduced from five thousand to four thousand dollars; that the offices of second Auditor, Railroad Commissioner, Register of the Land office and Public Printer be abolished. The Committee also recommends that all executive officers of the State, except the Superintendent of the State, be elected for a term of four years.

It also recommends that every executive officer be paid a fixed salary, with no fees or perquisites, except to the Governor, as provided in the report. This report if adopted will be a heavy blow to the office-holding and office-seeking class.

How Are Your Kidneys?

Dr. Hobbs' Sponges Pills cure all kidney ills. Sample free. Add. Sterling Remedy Co., Chicago or N. Y.

Dickenson County Republicans.

The Republican mass-meeting of Dickenson county was called to order by Wm. Thornsbury, county chairman, for the purpose of electing delegates to the Republican convention to be held at Charlottesville, Va., August 21st.

On motion, Columbus Phillips was elected chairman and N. R. Grizzle secretary. Six delegates and six alternates were elected, viz:

Delegates: Wm. Thornsbury, Columbus Phillips, Roland E. Chase, Draten Musick, Sammie Bias, N. B. Sutherland. Alternates: J. S. Mullins, J. L. Adams, N. R. Grizzle, C. C. Stone, G. F. Kiser, J. B. Kiser.

The following resolutions were adopted: Resolved, that if the delegates be not all at the convention, those present cast the vote of the county proportionately; and if no delegates nor alternates be there, any Republican of the county cast the entire vote of the county.

Ordered that the proceedings of the meeting be sent for publication to the Wise Journal, Tazewell Republican, Bristol News and Lebanon News.

N. R. GRIZZLE, Secretary.

If You Want a First Class Rice

Try our Carolina Head Rice. It is free from broken grains, besides being perfectly clean. When properly cooked each grain will be to itself, and is a beautiful white color with a flavor unsurpassed. The price is the same that you pay for common rice—10 cents per pound.

BUSTON & SONS,

Leading Retailers of High Grade Groceries.

Do You Want

The baby's picture?
Any of the children's pictures?
A family group?
A group of any kind?
A picture of your house?
Any out-door view work, or anything in the photograph line, if so, go to Black, the photographer, Tazewell, Va.

MONUMENTS.

Forty-one Marble and Granite Monuments in stock, weighing from 300 to 11,500 each. I buy in car load lots, getting 50 per cent. less freight rates. Discount my bills. Have no agent's commission to pay, and am able to furnish you better work than you can get elsewhere in Southwest Virginia. Don't fail to get my prices before placing your order. Write for prices and designs.

R. L. HOPKINS,

The Leading Marble and Granite Dealer of Southwest Virginia, Tazewell, Virginia

Valuable Land
For Sale.

I offer for sale 119 acres of valuable land, by survey, situated on the headwaters of Clinch, three miles east of Tazewell. The land lies well and all, except about 10 acres, can be plowed with a turning plow. There are 35 acres in good sod, and all the balance in excellent timber. One good spring on the land. There is no house, except a large log stable. PRICE \$1,800. For further particulars apply to

J. Floyd Gillespie,

Gratton, Virginia.

Central Hotel,

(Near Courthouse Square)

TAZEVELL, - VIRGINIA.

SURFACE & WHITE. - Proprietors.

Livery Stable attached. Good Sample Rooms. Table fare the best. Nice Bedrooms, etc.

What Writest Thou?

If a letter, you should use our "Olde Parchment Bond." This is the top-notch of style for all kinds of formal letters. The Price is 50 cents the box.

For general correspondence our Swastika Bond is the most popular. It is a cream linen paper of smooth finish. Price 50 cents the box. Other papers by the pound or box, in all grades.

BOYER & HARMAN.

The Best Results

ARE OBTAINED IN
The Oldest and Largest Company.The Mutual Life Insurance
Company,
Of New York

RICHARD A. McCURDY, President.

This Company paid to policy-holders in 1899.

\$26,369,036.

It holds in trust for them

\$301,844,537.

In The Mutual Life Insurance Company the profits go to the insured, and these profits, from 1843 to 1899, amount to

\$99,982,032.

No other Company in the world has attained such results.

Prospective Policy-holders, who desire information regarding forms of insurance; Prospective Agents, men and women, who desire profitable contacts with the Great Insurance Company in the world, will please address:

THE J. F. HURT INSURANCE AGENCY,
(Incorporated.)
Tazewell, - Va.

J. F. HURT, MANAGER.
J. R. LAIRD, SECRETARY.

R. W. SHREVE,

Manufacturer of and Dealer in

POPLAR, OAK and HEMLOCK

FRAMING.

OAK BILLS CUT TO ORDER.

Shipping Point: Post Office:
DORAN, VA. RAVEN, VA.

RATLIFF HOTEL.

TAZEVELL, VIRGINIA.

MRS. T. W. RATLIFF, PROPRIETRESS.

Centrally located, on Main Street. Large, Newly Furnished rooms, lighted with electricity.

RATES: \$1.50 Per Day.

Livery and Sample Rooms attached. Porter meets all trains.

CHAPMAN & GILLESPIE,

LAWYERS,

Tazewell, - - - Virginia.

COURTS:—Tazewell and Russell counties, Va., Court of Appeals at Wytheville, Va., and Circuit Court of McDowell county, W. Va.

IF YOU
Want a Flour to
make a loaf that

will be a

DELIGHT

to the eyes and the

palate try a bar-

rel of

Osborne's Cream.

It is the

Perfection

of the miller's art.

Spotts Bros.

Office of Tazewell Coal and Iron Company
Tazewell, Va., July 8, 1901.

Notice is hereby given that the stockholders of the Tazewell Coal and Iron Co., in general meeting, ordered the following dividends of the capital stock of said company to be paid, to-wit: Ten per cent of said capital stock will be paid on the 8th day of October, 1901, and provided a certain negotiable note now held by said company, which falls due Sept. 1st, 1901, is collected, an additional dividend of twelve per cent of the capital stock will be paid to the several stockholders on the said 8th day of October, 1901.

And provided four other notes, now held by the company are paid at their maturity, to-wit: One of said notes on the first day of March, 1902, the second one on the first day of September, 1902, the third one on the first day of March, 1903, and the fourth one on the first day of September, 1903, then twelve per cent dividend of the capital stock of the company, will be paid to the several stockholders, out of each one of the four notes, and the amount of said dividends collected upon each certificate of stock. Provided that nothing shall be paid upon the stock heretofore ordered to be cancelled by the Board of Directors of this company.

The Treasurer is ordered to give notice of time and place of payment of said dividends, and to set out in said notice the conditions upon which same are to be made.

By order of the stockholders.
Tazewell Coal & Iron Co.,
by Geo. W. Gillespie, Treasurer.

Order of Publication.
VIRGINIA: In the clerk's office of the circuit court for Tazewell county, July 6th, 1901.